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DECISION



62-11
**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

FILE: B-190189

DATE: October 12, 1977

MATTER OF: Dodson & Cochran Air Conditioning Company, Inc.

DIGEST:

GAO will not consider protest to solicitation issued by Indian tribe with tribal funds, and not by the Government with appropriated funds, since GAO's bid protest jurisdiction is based on its authority to adjust and settle accounts and to certify balances in the accounts of accountable officers under 31 U.S.C. 71, 74 (1970).

Dodson & Cochran Air Conditioning Company, Inc. (D&C), has protested an action taken by the Osage Indian Agency, Pawhuska, Oklahoma, pursuant to solicitation No. OS-1 issued by the Osage Indian Agency.

We have been advised by the Department of Interior that the subject solicitation was issued directly by the Osage Indian Agency and not by the Government, and that tribal funds were involved. Our bid protest jurisdiction is based upon our authority to adjust and settle accounts and to certify balances in the accounts of accountable officers under 31 U.S.C. 71, 74 (1970). Inasmuch as the subject solicitation was issued by the Indian tribe and not the Government, and appropriated funds were not involved, we decline to consider the subject protest.

Paul G. Dembling
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General Counsel